

1 PUBLIC PROTECTION CABINET

2 KENTUCKY HORSE RACING COMMISSION

3 Amended Administrative Regulation

4 811 KAR 2:010, Definitions.

5 RELATES TO: KRS Chapter 230[KRS 230.210-230.360]

6 STATUTORY AUTHORITY: KRS 230.215, KRS 230.225(7), KRS 230.260, 230.370

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) grants the commission the authority
8 to regulate conditions under which quarter horse, appaloosa and Arabian racing shall be
9 conducted in Kentucky. KRS 230.260(8) grants the commission the authority to prescribe
10 necessary and reasonable administrative regulations and conditions under which horse racing at
11 a horse race meeting shall be conducted in this state. KRS 230.361(1) requires the commission to
12 promulgate administrative regulations governing and regulating mutuel wagering on horse races
13 under the pari-mutuel system of wagering. This administrative regulation defines the terms used
14 in 811 KAR, Chapter 2: [To regulate conditions under which Arabian, quarter horse and appaloosa
15 racing shall be conducted in Kentucky. The function of this administrative regulation is to define
16 the terms used in the commission's rules and administrative regulations.]

17 Section 1. Definitions. ~~The following words and phrases, irrespective of literal meaning as~~
18 ~~defined in recognized dictionaries, have assumed special meaning and connotations as used in~~
19 ~~racing, and in the context of these rules, shall be construed as having the following special~~

meanings: (1) "Added money" means cash, exclusive of trophy or other award, added by the association to stake fees paid by subscribers to form the total purse for a stakes race.

(2) "Administrative regulation" when used in the singular means a specific numbered administrative regulation.

(3) "Administrative regulations" when used in the plural, means all current administrative regulations promulgated by the commission.

(4) ~~((2))~~ "Age" of a horse is reckoned as beginning on the first day of January in the year in which the horse is foaled.

(5) ~~((3))~~ "Allowance race" means a race in which contestants receive weight allowance based on performance and/or winnings as stipulated in the conditions thereof.

(6) ~~((4))~~ "Appaloosa horse" means a horse duly registered with the Appaloosa Horse Club, Inc., Moscow, Idaho.

(7) ~~((5))~~ "Arabian horse" means a horse duly registered with the Arabian Horse Club Registry of America.

(8) ~~((6))~~ "Arrears" means money due for entrance fees, jockey fees, nomination or supplemental fees in stake races, fines, purchase money in claiming races, and any ~~/or~~ default ~~(in any payment due)~~ incidental to these ~~the rules and~~ administrative regulations ~~(or conditions of a race)~~.

(9) "Association" is defined by KRS 230.210(1) ~~((7)) "Association" means any person, corporation, organization, or partnership licensed by the Kentucky Quarter Horse and Appaloosa Commission under KRS 230.420(2) and engaged in the conduct of a recognized Arabian, quarter horse or appaloosa race meeting.]~~

1 (10)[(8)] "Authorized agent" means an agent appointed by a notarized document signed
2 by the owner or jockey and filed[~~lodged~~] annually with the commission[~~Secretary of the Kentucky~~
3 ~~Quarter Horse and Appaloosa Commission, or if a single meeting only with the secretary of the~~
4 ~~meeting, to be sent to the commission~~].

5 (11)[(9)] "Betting interest" means a single horse, or more than one (1) horse joined as a
6 mutuel entry[~~"mutuel entry"~~] or joined in the mutuel field[~~"mutuel field,"~~] on which a single pari-
7 mutuel wager may be placed.

8 (12)[(10)] "Bleeder" means any horse known to have bled internally or from its nostrils
9 during a workout or race.

10 (13) "Breakage" means the net pool minus payout.

11 (14)[(11)] "Bred" means the place at which a horse is foaled.

12 (15)[(12)] "Breeder" of a horse is the owner of its dam at the time of service.

13 (16) "Calendar days" means consecutive days counted irrespective of number of racing
14 days.

15 (17) "Carryover" means nondistributed pool monies which are retained and added to a
16 corresponding pool in accordance with 811 KAR Chapter 2.

17 (18)[(13)] "Claiming race" means any race in which every horse running therein may be
18 transferred in conformity with these rules.

19 (19)[(14)] "Closing" means time published by the association after which entries for a race
20 will not be accepted.

21 (20) "Commission," means the Kentucky Horse Racing Commission (formerly known as
22 the Kentucky Horse Racing Authority and defined in KRS 230.210(2)) when used in the context of

1 the administrative agency governing horse racing and pari-mutuel wagering; when used in the
2 context of pari-mutuel wagering, means the amount an association is authorized to withhold
3 from a pari-mutuel wager pursuant to KRS 230.3615.[(15) "Commission" means the Kentucky
4 Quarter Horse and Appaloosa Commission. "Commissioner" is a member of the commission.]

5 [(21)][(16)] "Corrupt practice" means[shall mean] any attempt to enrich oneself or one's
6 associates or gain an advantage, through unfair, unlawful, or dishonest behavior in connection
7 with the racing of horses.

8 [(22)] "Day" means any twenty-four (24) hour period beginning at 12:01 a.m., and ending at
9 midnight.[(17) "Racing day" is a day on which races are conducted. "Calendar days" are those
10 consecutive days counted irrespective of number of "racing days."]

11 [(23)] "Dead heat" means a finish of a race in which the noses of two or more horses
12 reach the finish line at the same time.

13 [(24)][(18)] "Declaration" means withdrawal of a horse entered in a race prior to the time of
14 closing of entries therefor in conformance with these rules.

15 [(25)] "Designated area" means any enclosed area that the commission has approved for
16 the location of terminals used for wagering on an historical horse race.

17 [(26)][(19)] "Directive" means an official order issued by the commission.

18 [(27)] "Disciplinary action" means action taken by the stewards or the commission for a
19 violation of a statute or administrative regulation and can include, refusal to issue or renew a
20 license, revocation or suspension of a license, imposition of probationary conditions on a license,
21 issuance of a written reprimand or admonishment, imposition of fines or penalties, denial of purse
22 money, forfeiture of purse money, or any combination thereof.[(20) "Disciplinary action" means

1 that taken by the stewards or the commission for a rule violation and can include suspension,
2 revocation, voidance of a license or ejection or exclusion from association grounds, or assessment
3 of a forfeiture, or reprimand, or any combination thereof.]

4 (28)[(21)] "Disqualification" means an order of the stewards or commission revising the
5 order of finish of a race.

6 (29)[(22)] "Entry" means the act of nominating a horse for a race in conformance with
7 these rules. [(See "mutuel entry.")]

8 (30)[(23)] "Equipment" means accoutrements[~~accouterments~~] other than ordinary saddle,
9 girth, pad, saddle cloth, and bridle carried by a horse, and includes whip, blinkers, tongue strap,
10 muzzle, hood, noseband, bit, shadow roll, martingale, breast plate, bandages, boots, and racing
11 plates or shoes.

12 (31)[(24)] "Exhibition race" means a race between horses of diverse ownership for which a
13 purse is offered by the association, but on which no pari-mutuel wagering is permitted.

14 (32) "Exotic wager" means any pari-mutuel wager placed on a live or historical horse race
15 other than a win, place, or show wager placed on a live horse race.

16 (33) "Field" or "mutuel field" means a single betting interest involving more than one (1)
17 horse which is not a mutuel entry.[(25) "Field or mutuel field" means a single betting interest
18 involving more than one (1) horse formed when the number of horses starting in a race exceeds
19 the numbering capacity of the totalizator, and the highest numbered horse within the numbering
20 capacity of the totalizator and all horses of a higher number are grouped in the "mutuel field."]

21 (34)[(26)] "Forfeit" means money due by a licensee because of an error, fault, neglect of
22 duty, breach of contract, or alternative order of the stewards or commission.

1 (35)[(27)] "Foul" means any action by any jockey that tends to hinder another jockey or
2 any horse in the proper running of the race.

3 (36)[(28)] "Handicap race" means a race in which the weights to be carried by the horses
4 therein are assigned by the association handicapper with the intent of equalizing the chances of
5 winning for all horses entered therein. A "free handicap" is a handicap for which no nominating
6 fee is required to be weighted, but an entrance or starting fee may be required for starting
7 therein.

8 (37) "Handle" means the aggregate of all pari-mutuel pools, excluding refundable
9 wagers.

10 (38) "Historical horse race" means any horse race that was previously run at a licensed
11 pari-mutuel facility located in the United States and that concluded with official results. An
12 historical horse race must have concluded without scratches, disqualifications, or dead-heat
13 finishes.

14 (39)[(29)] "Horse" means a quarter horse, appaloosa or Arabian~~Arabian, quarter horse or~~
15 ~~appaloosa~~ registered as such with the American Quarter Horse Association in Amarillo, Texas, or
16 the Appaloosa Horse Club, Inc., in Moscow, Idaho; and when used in these rules to designate any
17 quarter horse, appaloosa or Arabian~~Arabian, quarter horse or appaloosa~~ irrespective of age or
18 sex designation.

19 (40)[(30)] "Ineligible" means a horse or person not qualified under these rules or
20 conditions of a race to participate in a specified racing activity.

1 (41) "Initial seed pool" means a non-refundable pool of money funded by an association
2 in an amount sufficient to ensure that a patron will be paid the minimum amount required on a
3 winning wager on an historical horse race.

4 (42)[(31)] "Jockey" means rider currently licensed to ride in races as a jockey, [or] amateur
5 jockey, or a provisional jockey permitted by the stewards to ride in two (2) races prior to applying
6 for a license.

7 (43)[(32)] "Kentucky bred" is a foal dropped by a mare after being bred in Kentucky.

8 (44)[(33)] "Kentucky race" means a race in which the contestants are Kentucky bred and
9 foaled horses as stipulated in the conditions.

10 (45)[(34)] "Lessee" means licensed owner whose interest in a horse is a leasehold.

11 (46) "Licensed premises" means the location and physical plant described in response to
12 question P of the "Commonwealth of Kentucky Initial/Renewal Application for License to
13 Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering" filed for racing to be
14 conducted in 2010. Licensed premises may also include real property of an association, if the
15 association receives approval from the commission for a new location at which live racing will
16 be conducted.

17 (47)[(35)] "Licensee" means an individual, firm, association, partnership, corporation,
18 trustee, or legal representative[means person or association] that has been duly issued a
19 currently valid license to participate in racing in the[this] Commonwealth.[by the Kentucky
20 Quarter Horse and Appaloosa Commission.]

21 (48)[(36)] "Maiden" is a horse which shows in the Daily Racing Form, the American
22 Quarter Horse Chart Book or the Appaloosa Chart Book as never having won a race on a track

1 recognized by the commission.~~[Kentucky Quarter Horse and Appaloosa Commission.]~~ A maiden
2 which has been disqualified after finishing first in a race is still a maiden.

3 (49)[(37)] "Match race" means a race between two (2) horses for which no other horses
4 are eligible.

5 (50)[(38)] "Meeting" means the entire period of consecutive days, exclusive of Sundays
6 and dark days, granted by the commission to a licensed association for the conduct of live horse
7 racing, beginning at 10 a.m. of the first racing day and extending through a period ending one (1)
8 hour after the last scheduled race of the last day. (See "recognized meeting.")

9 (51) "Minus pool" means a pari-mutuel pool in which the amount of money to be
10 distributed on winning wagers exceeds the amount of money contained in the net pool.

11 (52)[(39)] "Month" means calendar month.

12 (53)[(40)] "Mutuel entry" means a single betting interest involving two (2) or more horses
13 entered in the same race and joined for pari-mutuel purposes because of common ties as to
14 ownership or training so that a wager on one (1) horse joined in a "mutuel entry" is a wager on all
15 horses joined in the same "mutuel entry."

16 ~~[(41)] "Mutuel field" means the same as "field." (See subsection (24) of this section.)~~

17 (54) "Net pool" means the total amount wagered less refundable wagers and takeout.

18 (55)[(42)] "Nomination fee." (See "subscription.")

19 (56)[(43)] "Nominator" means any person in whose name a horse is entered for a stakes
20 race.

21 (57)[(44)] "Off time" is the moment at which, on signal of the starter, the horses break
22 and run.

1 ~~(58)~~~~[(45)]~~ "Owner" means any person who holds, in whole or in part, any right, title, or
2 interest in a horse, or any lessee of a horse, who has been duly issued a currently valid owner's
3 license as a person responsible for such horse.

4 (59) "Pari-mutuel wagering," "mutuel wagering," or pari-mutuel system of wagering"
5 each mean a system or method of wagering approved by the commission in which patrons are
6 wagering among themselves and not against the association and amounts wagered are placed
7 in one or more designated wagering pools and the net pool is returned to the winning patrons.

8 (60) "Patron" means an individual present at a track or a simulcast facility who observes
9 or wagers on a live or historical horse race.

10 (61) "Payout" means the amount of the net pool payable to an individual patron on his
11 or her winning wager.

12 (62)~~[(46)]~~ "Place" when used in the context of a single position in the order of finish in a
13 race, means second; when used in the context of pari-mutuel wagering, a "place" wager is one
14 involving a payoff on a betting interest which finished first or second in a race; when used in the
15 context of multiple positions in the order of finish in a race, "place or placing" means finishing
16 first, or second, or third. (See also, "unplaced.")

17 (63)~~[(47)]~~ "Post" means the starting point of a race.

18 (64)~~[(48)]~~ "Post position" means the relative place assigned to each horse, numbered
19 from the inner rail across the track at the starting line, from which each horse is to start a race.

20 (65)~~[(49)]~~ "Post time" means the time set for the arrival at the starting point of the horses
21 in a race.

1 (66)((50)) "Prize" means the combined total of any cash, premium, trophy, and object of
2 value awarded to the owners of horses according to order of finish in a race.

3 (67)((51)) "Purse" means the gross cash portion of the prize for which a race is run.

4 (68)((52)) "Purse race" means any race for which entries close at a time designated by the
5 racing secretary~~[less than ninety-six (96) hours prior to its running]~~, and for which owners of
6 horses entered are not required by its conditions to contribute money toward its purse.

7 (69)((53)) "Quarter horse" means a horse registered with the American Quarter Horse
8 Association of Amarillo, Texas.

9 (70)((54)) "Race" means a running contest between horses, ridden by jockeys, over a
10 prescribed course free of obstacles or jumps, at a recognized meeting, during regular racing
11 hours, for a prize.

12 (71) "Race day" means any period of twenty-four (24) hours beginning at 12:01 a.m.
13 and ending at midnight on which live racing is conducted by an association.~~((55)) "Race day"~~
14 ~~means any period of twenty-four (24) hours beginning at midnight and included in the period of a~~
15 ~~race meeting.]~~

16 (72)((56)) "Racing official" means a racing commission member~~[commissioner]~~,
17 commission staff as duties require, and all association racing department employees, as duties
18 require.

19 (73)((57)) "Recognized meeting" means any race meeting conducted under jurisdiction of
20 any legally constituted board or commission conducted with approval of the American Quarter
21 Horse Association of Amarillo, Texas, or the Appaloosa Horse Club, Inc., of Moscow, Idaho.

22 (74)((58)) "Recognized tracks" are those conducting recognized meetings.

1 (75)[(59)] "Registration certificate" means document issued by the American Quarter
2 House Association of Amarillo, Texas, or the Appaloosa Horse Club, Inc., of Moscow, Idaho,
3 certifying [as to] the name, age, color, sex, pedigree, and breeder of a horse as registered by
4 number with the American Quarter Horse Association or the Appaloosa Horse Club.

5 (76) "Result" means the part of the official order of finish in a race used to determine the
6 part-mutuel payoff of pools.

7 (77)[(60)] "Ruled off" means denial of entrance to premises of any association under
8 jurisdiction of the commission.

9 (78)[(61)] "Rules" when used in the plural, means~~[shall be deemed to mean]~~ all current
10 "rules" promulgated by the commission; when used in the singular means a specific numbered
11 rule.~~[, shall be deemed to be confined to the numbered "rule," and subparagraphs thereof,~~
12 ~~wherein such mention is made.]~~

13 (79)[(62)] "Rulings" means all determinations, decisions, or orders of the stewards or of
14 the commission duly issued in writing and posted.

15 (80)[(63)] "Schooling race" means a race designed to correct deficiencies in horses before
16 being eligible for entry.

17 (81)[(64)] "Scratch" means withdrawal of a horse entered for a race after time of closing
18 of entries therefor in conformance with these rules.

19 (82)[(65)] "Scratch time" means time set by the racing secretary as a deadline for
20 horsemen to indicate their desire to scratch out of a race.

21 (83)[(66)] "Secretary" means duly appointed and currently serving secretary of the
22 commission.

1 (84) "Seed pool" means a pool of money funded by patrons wagering on an historical
2 horse race that is used to ensure that all patrons are paid the minimum payout on winning
3 wagers.

4 (85)[(67)] "Specimen" means sample of blood, urine, or other biologic sample[saliva]
5 taken or drawn from a horse for chemical testing.

6 (86)[(68)] "Stakes" mean all fees paid by subscribers to an added-money or stakes race for
7 nominating, eligibility, entrance, or starting, as may be required by the conditions of such race,
8 such fees to be included in the purse.

9 (87)[(69)] "Stakes race" means race which closes more than seventy-two (72) hours in
10 advance of its running and for which subscribers contribute money towards its purse.

11 (88)[(70)] "Starter" means either: ["Starter:"]

12 (a) An official [Official] who dispatches the horses from the starting gate; or

13 (b) A horse in a race when the starting gate doors open in front of it at the moment the
14 starter dispatches the horses for the race. [A horse is a starter when the stall doors of the starting
15 gate open in front of it at the time the official starter dispatches the horses.]

16 (89)[(71)] ""Steward" ["Stewards"] means a duly appointed racing official[officials] with
17 powers and duties set out in 811 KAR 2:025[812-KAR-1:025] serving at a current meeting in
18 the[this] Commonwealth.

19 (90)[(72)] "Subscription" means a fee to keep a horse eligible to run in a stake race.

20 (91)[(73)] "Suspended" means withdrawal by the steward or commission of racing
21 privileges.

1 (92) "Takeout" means the total amount of money, excluding breakage and any amounts
2 allocated to a seed pool, withheld from each pari-mutuel pool, as authorized by KRS 230.3615
3 and 811 KAR Chapter 2.

4 (93) "Terminal" means any self-service totalizator machine or other mechanical
5 equipment used by a patron to place a pari-mutuel wager on a live or historical horse race.

6 (94) "Totalizator" means the system, including hardware, software, communications
7 equipment, and electronic devices that accepts and processes the cashing of wagers, calculates
8 the odds and prices of such wagers, and records, displays, and stores pari-mutuel wagering
9 information.

10 (95)[(74)] "Tote (tote board)" means the totalizator.

11 (96)[(75)] "Trial race" means[is] a race designed primarily to determine the class of
12 competing horses. A trial may be run as a purse race or stakes, or it may be run as a "time trial"
13 with no purse at all. Whenever a trial is run for a purse or stakes so small that the value to the
14 winner is less than fifty (50) dollars, the winning of the race shall not be counted against the
15 winner in calculating the weight he must carry under the conditions of a subsequent race.

16 (97)[(76)] "Unplaced" means a horse finishing a race outside the pari-mutuel payoff.[not
17 among the first three (3) horses finishing a race.]

18 (98)[(77)] "Walkover" means race in which the only starter or all starters represent single
19 ownership.

20 (99)[(76)] "Weigh In" means presentation of a jockey to the clerk of scales for weighing
21 after a race.

1 ~~(100)[(77)]~~ "Weigh out" means presentation of a jockey to the clerk of scales for weighing
2 prior to a race.

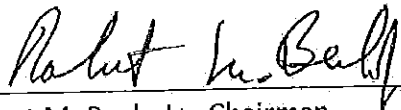
3 ~~(101)[(78)]~~ "Weight" means the number of pounds carried or to be carried in a race and
4 includes the jockey, his silks, breeches, and boots, saddle, pad and cloth but excludes the
5 protective helmet, whip, and bridle.

6 ~~(102)[(79)]~~ "Workout" means training exercise of a horse on the training track or main
7 track of an association during which such horse is timed for speed over a specified distance.

8 ~~(103)[(80)]~~ "Year" means twelve (12) consecutive months beginning with January and
9 ending with December.

10 Section 2. Severability. In the event that any provision or administrative regulation of
11 this chapter is found to be invalid, the remaining provisions of this chapter shall not be affected
12 nor diminished thereby. (Recodified from 812 KAR 1:010, 6-10-87.)

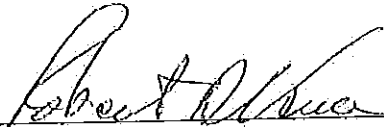
READ AND APPROVED:



Robert M. Beck, Jr., Chairman
Kentucky Horse Racing Commission

7-19-10

Date



Robert D. Vance, Secretary
Public Protection Cabinet

July 20, 2010

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 29, 2010 at 10:00 a.m., in the clubhouse of The Red Mile, 1200 Red Mile Rd., Lexington, Kentucky 40504-2652. Individuals interested in being heard at this hearing shall notify the Kentucky Horse Racing Commission in writing by September 22, 2010, five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until September 30, 2010. Please send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Timothy A. West
Assistant General Counsel
Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Phone: (859) 246-2040
FAX: (859) 246-2039

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Timothy A. West, Assistant General Counsel, Kentucky Horse Racing Commission
Phone (859) 246-2040

(I) Provide a brief summary of:

(a) What this administrative regulation does: *This regulation defines the terms that are used in the commission's administrative regulations.*

(b) The necessity of this administrative regulation: *The regulation is necessary to provide specific and updated definitions of terms used in the commission's administrative regulations.*

(c) How this administrative regulation conforms to the content of the authorizing statutes: *KRS 230.215(2) grants the commission the authority to regulate conditions under which thoroughbred racing and pari-mutuel wagering thereon shall be conducted in Kentucky. KRS 230.361(1) requires the commission to promulgate administrative regulations governing and regulating mutuel wagering on horse races under the pari-mutuel system of wagering.*

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: *KRS 230.215(2) grants the commission the authority to regulate conditions under which thoroughbred racing and pari-mutuel wagering thereon shall be conducted in the Commonwealth. This regulation provides specific and updated definitions for the terms used in the commission's administrative regulations.*

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: *The amendment modifies some existing definitions and adds new definitions to account for recent innovations in horse racing and pari-mutuel wagering.*

(b) The necessity of the amendment to this administrative regulation: *This amendment is necessary to address innovations in horse racing and pari-mutuel wagering.*

(c) How the amendment conforms to the content of the authorizing statutes: *KRS 230.215(2) grants the commission the authority to regulate conditions under which horse racing*

and pari-mutuel wagering thereon shall be conducted in the Commonwealth. KRS 230.361(1) requires the commission to promulgate administrative regulations governing and regulating mutuel wagering on horse races under the pari-mutuel system of wagering. This regulation provides specific and updated definitions of terms used in the commission's administrative regulations.

(d) How the amendment will assist in the effective administration of the statutes: *This administrative regulation provides specific and updated definitions of terms used in the commission's administrative regulations.*

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: *This administrative regulation will affect all persons and entities involved in horse racing and pari-mutuel wagering on horse racing in the Commonwealth.*

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: *No actions are necessary.*

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): *There will be no costs to affected entities.*

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): *This administrative regulation will give greater guidance to participants in horse racing by providing specific and updated definitions of terms used in the commission's administrative regulations.*

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: *N/A*

(b) On a continuing basis: *N/A*

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: *N/A*

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: *No increase in fees or funding will be necessary*

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: *No fees have been established or increased as a result of this administrative regulation.*

(9) TIERING: Is tiering applied? (Explain why or why not) *Tiering is not applied. All aspects of this regulation will be applied equally.*

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No. 811 KAR 2:010

Contact Person: Timothy A. West
(859) 246-2040

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)?

Yes X No

If yes, complete questions 2-4.

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? *The Kentucky Horse Racing Commission.*

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. *KRS 230.215, 230.260, 230.361, 230.370.*

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. *This regulation will have no effect on the expenditures and revenues of any state or local government agency.*

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? *This regulation will have no effect on the expenditures and revenues of any state or local government agency.*

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? *This regulation will have no effect on the expenditures and revenues of any state or local government agency.*

(c) How much will it cost to administer this program for the first year? *There will be no administrative costs as a result of this regulation.*

(d) How much will it cost to administer this program for subsequent years? *There will be no administrative costs as a result of this regulation.*

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):
Expenditures (+/-):
Other Explanation: